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AN

ACT

FOR

Buying and Selling of all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; And for the more Effectual Preventing the Frauds, Committed in the Buying and Selling thereof.

G. II. R.

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WHEREAS it hath been Found Impracticable, to prevent Frauds and Abuſes in Selling of Corn by Meaſure, and that it is moſt Equal, between Buyer and Seller, to Sell the ſame by Weight.

Be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and

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Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the First Day of August, which shall be in the Year of Our Lord, One thousand seven hundred and fifty two, all Wheat, Rye, Measlin, Peale, Beans, Barley, Bear, Oats, Shillin, Cutlins, Meal, Flour and Malt, shall be Sold and Delivered by Weight, and not by Measure, or in any other Manner whatsoever.

And be it further Enacted by the Authority aforesaid, That such Weight shall be according to Avoir-du-poise Pound, Fourteen Pounds whereof shall make a Stone, and Eight Stone One Hundred Weight, and Twenty Hundred One Ton, to be Standing Weight, with an Even and Equal Beam or Ballance, and all Bargains, Contracts, and Agreements made after the said First Day of August, One thousand seven hundred and fifty two, for Selling such Wheat, Rye, Measlin, Peale, Beans, Barley, Bear, Oats, Shillin, Cutlins, Meal, Flour, and Malt, by any other or different Weight, or for Selling the same by Measure, or for Selling thereof in any other Manner than by Weight, or for Giving, Adding, or Allowing any Quantity of such Wheat, Rye, Measlin, Peale, Beans, Barley, Bear, Oats, Shillin, Cutlins, Meal, Flour, or Malt, to the Quantity Agreed to be Sold, or for

Giving

Giving or Making any Addition or Allowance to the Stone, Hundred, Tun, or other Weight, shall be, and are hereby Declared to be Void, to all Intents and Purposes whatsoever.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall after the said First Day of August, One thousand seven hundred and fifty two, Sell, or Expose to Sale, or Barter, Exchange, or Deliver any such Wheat, Rye, Measlin, Peale, Beans, Barley, Bear, Oats, Shillin, Meal, Flour, Cutlins, or Malt, any other Way than by Weight, and in the Manner aforesaid, or if any Brewer, Baker, Maltster, Meal-Man, Corn-Merchant, Higgler, or any Person or Persons, either by him or themselves, or by any other Person or Persons Employed by him or them respectively, shall after the Time aforesaid, Buy or Make, or Enter into any Contract, Bargain, or Agreement for Buying or Receiving any Wheat, Rye, Measlin, Peale, Beans, Barley, Bear, Oats, Shillin, Meal, Cutlins, Flour, or Malt any other Way than by Weight and in the Manner aforesaid, or shall Demand, Contract for, Take, or Receive any other or greater Quantity thereof than the very Quantity Really, and Bona Fide, Bought and Agreed for, or shall Demand, or Take any Addition or Allowance to the Pound, Stone, Hundred, Tun, or other

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Weight, over and above the Real Content thereof, at Standing Weight as aforesaid, all and every Brewer, Baker, Maltster, Meal-Man, Corn-Merchant, Higler, or other Person whatsoever, Buying any Corn, Grain, Flour or Meal contrary to the Directions aforesaid, shall Forfeit the Sum of Five Pounds, to be paid to such Person who, within Three Kalendar Months next after such Offence Committed, shall First give Information thereof to any Mayor, or other Chief Magistrate of any City, or Town Corporate, or any Justice of the Peace of any County, or County of a City, or County of a Town within their respective Jurisdictions, who shall and may Issue a Summons under his Hand, Requiring the Party Accused to Appear before him, at any reasonable Time, not less than Twenty four Hours after the Time he shall be Served with such Notice, and after the same shall be left at his Houle or usual Place of Abode, at which Time such Magistrate or Justice of the Peace shall and may, by Examination of One or more Witness or Witnesses upon Oath, which Oath they are hereby Impowered to Administer, Proceed to Hear and Determine the same; But if any Person shall think himself Aggrieved by the Judgment of such Magistrate or Justice of the Peace, in such Case, such Person may Appeal to the next going Judges of Assize, or if in the City or County of Dublin, to the Justice

tite of the Peace, at the next General Seſſions of the Peace held for the ſaid City of Dublin, or County of Dublin reſpectively, who ſhall finally Hear and Determine the ſame; And ſuch Magiſtrate or Juſtice of the Peace, or in Caſe of any Appeal, ſuch Judges of Aſſize, or Juſtices of the Peace at the ſaid Seſſions, ſhall and may Iſſue a Warrant under his or their reſpective Hands and Seals, Directed to any Conſtable of ſuch County, City, or Town Corporate, Requiring him to Levy the Sum ſo Adjudged to be Forfeited, by Diſtreſs and Sale of the Offenders Goods, Rendering the Overplus (if any be) to the Owner thereof, after Deducting Twelve Pence Sterling in the Pound for his Pains, in Levying the ſame; But if no Goods ſhall be Found to Anſwer ſuch Sum, then ſuch Offender ſhall be Committed to the Houſe of Correction, and Kept to hard Labour, during the Space of Three Kalendar Months, unleſs he ſooner pay the Sum, ſo Adjudged as aforeſaid, to the Party Intitled to the ſame.

And to the End, His Majeſty's Duties upon Corn Exported and Imported, and the Præmium on the Exportation thereof, may hereafter be Paid according to the Weight;

Be it Enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day

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of August, One thousand seven hundred and fifty two, Forty Stone of Rye, Wheat, Meslin, Peale and Beans; Twenty Four Stone of Barley and Bear; Twenty Two Stone of Oats; Twenty Stone of Malt, shall for the Purposes aforesaid, be Deemed Equal to, and Stand in the Place of one Quarter of the said several Sorts of Corn, Grain and Malt; And that the same Customs, Duties and Excise, and the same Præmiums, as are now Allowed and Payable on the Exportation or Importation of, or otherwise, for one Quarter of each of the said Sorts of Corn, Grain or Malt, shall be from thenceforth Payable for, and Allowed and Payable on the Exportation or Importation of, or otherwise; For Forty Stone Weight of such Wheat, Rye, Measlin, Peale and Beans; and for Twenty Four Stone of Barley and Bear; Twenty Two Stone of Oats; And Twenty Stone of Malt; And Forty Stone Weight of such Wheat, Rye, Mealin, Peale and Beans; Twenty Four Stone of Barley and Bear; Twenty Two Stone of Oats; Twenty Stone of Malt; Shall from thenceforth be Deemed Equal to, and for the same with the Quarter.

And for the more Ealy Weighing of Corn, in the City of Dublin, and in the other Cities and Market-Towns within this Kingdom:

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Be it Enacted by the Authority aforesaid, That the Chief Magistrate of the City of Dublin, shall, at the Expence of the said City, before the said First Day of August, One thousand seven hundred and fifty two, Erect four Sufficient Beams with proper Scales thereunto, and a Competent Set of Weights Made of Iron, and Sealed by the Proper Officer, for Weighing Corn in such convenient Place or Places, within the Corn Markets of the said City; And Two or more such Beams, Scales and Weights, on Aston's-Quay, within the said City, for Weighing all Sorts of Corn, and from Time to Time Keep the same in Good and Sufficient Repair, for Weighing with; For the Use of which, no Greater Prices shall be Paid or Taken, than in this Act are hereafter Expressed and Appointed: And if such Chief Magistrate of the said City of Dublin, shall not before the said First Day of August, One thousand seven hundred and fifty two, Provide all and every the said Beams, Scales and Weights as aforesaid, and shall not in the next Term after the said first Day of August, One thousand seven hundred and fifty two, Make the same Appear by Affidavit or Affidavits of two Credible Persons in the Court of King's-Bench, such Court shall Fine such Chief Magistrate, in the Sum of One Hundred Pounds, and shall in every Succeeding Term, until

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such Affidavit is Made and Produced, Fine him in the like Sum of One Hundred Pounds; Which Fines shall be Estreated into the Court of Exchequer.

And be it further Enacted by the Authority aforesaid, That in each of the several Cities and Towns following, (viz.) Cork, Waterford, Limerick, Belfast, Londonderry, Newry, Sligo, Galway, Drogheda, Dundalk, Wexford, Navan, Athy, Naas, Lisburn, Clonmel, Ross, and Youghall, and all other Market Towns in this Kingdom, there shall be Provided by the Chief Magistrate for the Time being, of such City or Town, One or more Just and true Ballance or Iron Beam, with Scales, and a Competent Set of Weights made of Iron, and Sealed by the Proper Officer for Weighing of Corn, on or before the said First Day of August, One thousand seven hundred and fifty two, and if such Chief Magistrate shall not at the Genetal Assizes to be held for the County where such City or Town lies, next following the said First Day of August, One thousand seven hundred and fifty two, make it Appear before the Justices of Assize, by the Affidavit or Affidavits of Two Credible Persons, that One such Ballance or Beam, with Proper Scales and Weights, hath been Provided and set up before the said First Day of August, One thousand seven hundred and fifty two, such Chief Magistrate

shall

shall be Fined by the Justices of Assize in the Sum of Fifty Pounds, and at every succeeding Assizes, shall be Fined the like Sum of Fifty Pounds until such Affidavit or Affidavits shall be Made and Produced as aforesaid, which Fine shall be Estreated into his Majesty's Court of Exchequer. CHAP. XV.

Provided allways, That for Weighing Corn or other Things at such Scales, no more shall be paid than One Halfpenny for every Draught Weighing under One Hundred Weight, and One Penny for every Draught Weighing One Hundred pounds or upwards.

And be it Enacted by the Authority aforesaid, That all Bakers, Maulters, Brewers, or other Persons who usually Buy or Sell any Sort of Corn or Grain within the City of Dublin, or Liberties thereof, or within the Liberties of Saint Sepulchre's, Thomas Court, Donore, and Saint Patrick's Close, shall, by the said First Day of August, which shall be in the Year of our Lord One thousand seven hundred and fifty two, provide themselves with a good Iron Beam or Balance, with Scales thereunto, and a Competent Set of Weights made of Iron, and Sealed by the Proper Officer within each of the said respective Liberties, and shall Buy and Sell by such Weights only and none o-

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ther; And if it ſhall happen that any ſuch Bakers, Maltſters, Brewers, or other Perſons who uſually Buy or Sell any Sort of Corn or Grain, ſhall Buy or Sell by any other Weights than ſuch Iron Weights, and ſo Sealed as aforeſaid, every ſuch Offender or Offenders ſhall, for every ſuch Offence, Forfeit the Sum of Five Pounds, One Moiety to the Poor of the Pariſh where ſuch Offence ſhall be Committed, and the other Moiety to the Informer or Informers, the ſame to be Raiſed by Diſtreſs and Sale of the Offenders Goods, being Lawfully Convicted, upon Oath of One or more Credible Witneſs or Witneſſes, before the Lord Mayor of the City of Dublin, the Seneſchal or Seneſchals of the ſaid reſpective Liberties, within their reſpective Juriſdictions, or any Juſtice of the Peace within the ſaid County of the City of Dublin, or County of Dublin reſpectively, who are hereby Impowered to Hear, and finally to Determine the ſame.

And to Prevent any Perſon or Perſons who ſhall hereafter Sell any of the ſaid Sorts of Corn, Grain, and Malt from Spoiling or Adulterating thereof, by Wetting of it, or Mixing therewith any Sand, Gravel, Dirt, or any other Kind of Stuff, and from Uſing any other Fraud or Deceit, to make ſuch Corn appear Heavier than

than it would have been without ſuch Mixture, Fraud, or Deceit: CHAP. XV.

Be it Enacted by the Authority aforeſaid, That all and every Perſon or Perſons being lawfully Convicted of any of the ſaid Practices, or of any other Frauds or Deceits, to Make ſuch Corn, Grain or Malt Appear heavier, by the Oath of One or more Credible Witneſs or Witneſſes, before the Lord Mayor, or any Juſtice of the Peace of the City of Dublin, or before any Chief Magiſtrate of any City, Town or Corporation, or before any Juſtice of the Peace for any County, County of a City, or County of a Town, within this Kingdom,, ſhall, for every ſuch Offence, Forfeit and Loſe all ſuch Corn, and ſhall alſo Forfeit the Sum of Twenty Shillings, to be Levied by Diſtreſs and Sale of ſuch Offenders Goods, One Moiety of which Sum of Twenty Shillings ſhall be to the Informer, and the other Moiety thereof, together with all ſuch Forfeited Corn, to the Uſe of the Poor of the Pariſh, where ſuch Offence ſhall have been Committed; And in Caſe no ſuch Diſtreſs can be Found or Had, that then every ſuch Offender or Offenders, ſhall, by Warrant under the Hand and Seal of the ſaid Lord Mayor, or any Juſtice of the Peace for the City of Dublin, or of any Chief Magiſtrate for any City, Town or Corporation, or of any Juſtice of the Peace for any County, County

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of a City, or County of a Town, where such Offence shall have been Committed, be sent to the House of Correction, there to be Whipped and Kept to hard Labour, for any Space of Time, not exceeding three Weeks.

And whereas great Abuses are Committed by Inn-Keepers, and other Persons, Taking upon themselves to Erect Scales and Beams, and Weigh Butter, Corn, Tallow, and other Goods, for Price and Hire, to the great Detriment of the Lawful and Established Weigh-Masters, and to the Abuse of the Publick in General.

Be it Enacted by the Authority aforesaid, That from and after the First Day of May, One thousand seven hundred and fifty two, all Inn-Keepers and every other Person, who shall Weigh for Hire or Price, either in Money or Drink, or other Gratuity, at any such Private Scales, any Butter, Corn, or Grain, Hides, Tallow, Meal or Potatoes, Exposed to Sale in the Markets, not being their own Goods or Property, shall, for each and every Draught by them so Weighed, forfeit the Sum of Two Shillings and Six Pence, to be Paid to the Informer; Which Forfeitures shall be Recovered before the Lord Mayor of the City of Dublin, and the said Seneschals and Chief Magistrates in their respective Liberties and Jurisdictions

Jurisdictions, upon the Confession of the Parties, or Proof thereof Made on Oath of One or more Witness or Witnesses, which Oath or Oaths the said Lord Mayor and Seneschals are hereby Respectively Impowered to Administer, and upon Conviction, the said Forfeitures shall be Levied by Warrant from the said Lord Mayor or Seneschals, or Chief Magistrate respectively, by Distress and Sale of the Offenders Goods. CHAP. XV.

And Whereas great Abuses and Deceits are Committed by Farmers, Carters, Cartmen, and others, who bring Straw to Sell within the City of Dublin and Liberties thereof, and within the Liberties of Saint Sepulchre's, Thomas Court and Donore, the Loads of such Straw being of Less Weight than they ought, or are Pretended or Declared to be, between the Buyer and the Seller thereof;

Be it Enacted by the Authority aforesaid, that every Cart Load of Straw Sold, or offered to be Sold as a Full Cart Load of Straw, in any Place after the said First Day of August, One thousand seven hundred and fifty two, within the City of Dublin, or Liberties thereof, or within the Liberties of Saint Sepulchre's, Thomas Court, Donore, and Saint Patrick's Close, shall Contain, and be Full Four hundred Weight, each Hundred Containing

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ing Five Score and Twelve Pounds Avoir-du-poiſe Weight, and if any Carr Load of Straw, after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and fifty two, ſhall be Sold, or Offered to be Sold, as a Full Carr Load of Straw, within the ſaid City, or Places aforeſaid, that ſhall be of Leſs Weight than as aforeſaid, the Perſon or Perſons ſo Selling, or Offering ſuch Straw to be Sold, ſhall Forfeit every ſuch Load of Straw that is not of the Weight aforeſaid, if Unſold, or the Value thereof if Sold, and alſo the Sum of Two Shillings and Six Pence, and that the Lord Mayor of the ſaid City of Dublin, and the Juſtices of the Peace thereof, and every of them, and the reſpective Seneſchals of the ſaid Liberties of Saint Sepulchre's, Thomas Court, Donore, and Saint Patrick's Cloſe, and all Juſtices of the Peace for the County of Dublin, within their ſeveral Limits reſpectively, ſhall have Power and Authority, upon his or their own Knowledge or View, or Confeſſion of the Party, or Proof of One Credible Witneſs, upon Oath, before him or them, or any of them, which Oath the ſaid Lord Mayor, Seneſchal, or Juſtice of the Peace is hereby Impowered to Adminiſter, to Convict any Perſon for the Offence aforeſaid, whereby ſuch Perſon or Perſons, ſo Convicted, ſhall Incur the Penalty and Forfeiture aforeſaid, One Moiety whereof ſhall be Diſpoſed and Employed

ployed for the Relief of the Poor of the Parish or Place where the Offence shall be Committed or Done, to be Paid to the Church Wardens or Overseers of the Poor of the same, for that Use, and the other Moiety thereof to him, her, or them that shall Discover or Prosecute the same, if the said Conviction be by Discovery and Prosecution, and if the Conviction shall be by the View or Knowledge of the said Lord Mayor, Seneschal, or Justice of the Peace, or any One or more of them, then One Half of the Penalty shall be Disposed of to the Relief of the Poor as aforesaid, and the other Moiety to go or be Employed for or towards Paving and Repairing of the High-Ways within the County and Suburbs of the City of Dublin and the Liberties aforesaid, and if the said Sum so Forfeited be not Paid on Demand, the same shall be Levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the said Lord Mayor, Seneschal, or Justice of the Peace, where the Offence was done, or where the Offenders Dwell, Rendering the Overplus to the Owner.

And Whereas the Custom of Selling Potatoes by Measure hath been found very Inconvenient, and is attended with many Frauds and Abuses, to the great Detriment of the Poor of the Kingdom;

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For Remedy whereof, Be it Enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and fifty two, all Potatoes in Cities, Townes Corporate, and Market Townes, and elſewhere, ſhall be Sold and Delivered by Weight, and not by Meaſure, or in any other Way whatſoever, and that ſuch Weight ſhall be according to the Avoir-du-poiſe Pound, Fourteen Pounds whereof ſhall make a Stone, and Eight Stone One Hundred Weight, which Potatoes ſhall be Weighed without Fee or Reward, at the Beams and Scales of the ſaid reſpective Places, to be Erected and Kept purſuant to this Act.

And be it further Enacted by the Authority aforeſaid, That if after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and fifty two, any Maſter or Owner of any Ship, Veſſel, or Boat coming into any Port, Harbour, or Town of this Kingdom with Potatoes, or any Market Man, Herb Man, Herb Woman, Huckſter, or any other Perſon Selling Potatoes, ſhall Preſume to Sell the ſame by Meaſure, or any otherwiſe than by Weight, and ſhall be Lawfully Convicted thereof before the Chief Magiſtrate of any City, Town, or Borough, or before any Juſtice of the Peace of any County, County of a City, or County of a Town where ſuch Offence

Offence ſhall be Committed, by the Oath of One or more Credible Witneſs or Witneſſes, which Oath every Chief Magiſtrate and Juſtice of the Peace are hereby Impowered to Adminiſter, every ſuch Market Man, Herb Man, Herb Woman, Huckſter, or other Perſon ſo Offending, ſhall, for every ſuch Offence, not only Forfeit the Value of all ſuch Potatoes by him or them Sold otherwiſe than by Weight, but ſhall alſo Forfeit the Sum of Six Pence for every Stone of Potatoes ſo Sold by him or them otherwiſe than by Weight, and the Sum of Six Pence for any Quantity under One Stone, which Forfeitures ſhall be Levied by Diſtreſs and Sale of the Offenders Goods, One Moiety to be given to the Informer, and the other Moiety to the Poor of the Pariſh where ſuch Offence ſhall be Committed: Provided Complaint be made within Three Days after ſuch Offence ſhall be Committed. CHAP. XV.

Provided alſo, And be it Enacted by the Authority aforeſaid, That this Act ſhall Continue and be in Force to the Firſt Day of Auguſt, One thouſand ſeven hundred and fifty ſeven, and from thence to the End of the then next Seſſion of Parliament, and no longer.